

4. (Amended) The cleat according to claim 12, wherein the insert includes a raised spike opposite the first end of the stem portion, the raised spike being aligned with a traction member spike to cooperate therewith and function as a visual wear indicator for the cleat.
5. (Amended) The cleat according to claim 12, wherein the insert and traction member are made from different color materials.

#### **REMARKS**

#### **Reconsideration And Allowance Are Respectfully Requested.**

Claims 12 is the only independent claim currently pending. Claims 3-5 have been amended to depend from claim 12.

With regard to the rejections claim 12, Applicant believes that the Examiner has failed to appreciate the language of claim 12, in particular, “a plastic traction member which is secured to the insert and encases the flange during a molding process”.

Applicant would like to clarify the teachings of Carroll ('367) and Singer et al. ('386). Although these references may teach making a thread stem out of plastic, they fail to teach bonding, during a molding process, of a softer plastic to a harder plastic so as to encase a flange on the harder plastic.

Carroll ('367) teaches a hard plastic traction member secured to a hard plastic threaded stud. In fact the two parts are made from the same material. Just as in Singer et al. ('386) the thread stud 90 is made from the same hard plastic as the underlying material 80, not the softer traction member 70. As such, these two references teach no more than bonding two similar plastics together when forming a cleat. This happens to be the exact opposite of Applicant's invention, which is bonding a softer plastic traction member to a harder plastic threaded stem so as to encase a flange. The bonding in Applicant's invention occurs by encasement of the softer material about the harder material, which is not shown, disclosed, thought or even contemplated by any of the cited references.

Again, claim 12 recites "a plastic traction member which is secured to the insert and encases the flange during a molding process". This limitation cannot be found in any of the cited references.

In MacNeill ('260) the softer plastic traction member does not encase base 21 or stem 24. In Carroll ('367) no flange is taught, no encasement is taught and the use of two different plastics is not taught. Therefore, a combination of these two references could not result in Applicant's claimed invention.

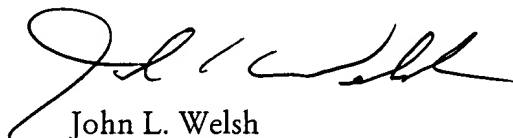
In Singer et al. ('386), like MacNeill, the outer softer traction member does not encase the flange of the insert. In fact, the outer traction member not only fails to encase the flange 96 it fails to encase anything that could be considered an insert, as underlying material 80 protrudes through traction member 70 at numerous spots. Therefore, a combination of these two references could not result in Applicant's claimed invention.

The Office Actions reliance on the base 21 to encase stem 24 in MacNeill does meet the claim language set forth by Applicant.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made".

It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John L. Welsh", written in a cursive style.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Cancel claims 1, 2, 10 and 11.

Amend claims 3-5 as follows:

3. The cleat according to claim [1] 12, wherein the insert is formed of a synthetic plastic material having a hardness between 75 MPa and 85 MPa.
4. The cleat according to claim [2] 12, wherein the insert includes a raised spike opposite the first end of the stem portion, the raised spike being aligned with a traction member spike to cooperate therewith and function as a visual wear indicator for the cleat.
5. The cleat according to claim [4] 12, wherein the insert and traction member are made from different color materials.